

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: [17-cv-06748-WHO](#)Case Name: Di-az v. Tesla, Inc.

TRIAL SHEET, EXHIBIT and WITNESS LIST

| | | |
|---|--|--|
| JUDGE: | PLAINTIFF ATTORNEYS: | DEFENSE ATTORNEYS: |
| William H. Orrick | Bernard Alexander, Larry Organ, and Cimone Nunley | Tracey Kennedy, Patricia Jeng, and Susan Haines |
| TRIAL DATE: 10/1/2021 | REPORTER: | CLERK: |
| Time: 4 hrs, 34 mins 8:02 a.m. to 12:36 p.m. | Debra Pas | Jean Davis |

| PLF NO. | DEF NO. | DATE/TIME OFFERED | ID | REC | DESCRIPTION | PLF TIME | DEF TIME |
|---------|------------|-------------------|----|-----|---|----------|----------|
| | | 8:02 a.m. | | | Court in session (Jurors out) The Court directs that the transcripts filed via ECF should be made part of the trial record through assignment of an exhibit number, although those transcripts will not be admitted or provided to jurors. Timing of Demtric Di-az rebuttal testimony (via video) discussed. Heisen designations discussed. Objection to 17 sustained. Objections to 54 & 56 overruled. Draft jury instructions provided and briefly discussed in advance of jury instruction conference. Plaintiff request for additional time to present their case granted, up to an additional 90 minutes. Clarification of additional exhibits admitted by agreement re Exhibit 6 | | |
| | 3 | | | | TESLA Master Services Agreement with NextSource, 5-28-2013; Admitted by stipulation | | |
| | 379 | | | | Application to Tesla by Demetric Di-az; Admitted by stipulation | | |
| | | 8:14 a.m. | | | Court in recess | | |
| | | 8:31 a.m. | | | Court in session (jury present) | | |
| | | 8:32 a.m. | | | Defense direct examination of Joyce dela Grande (Jeng) | | 32 |
| | 244 | 8:40 a.m. | X | X | Email re PWT DZ, 10-23-2015; Admitted by stipulation | | |
| | 251 | 8:42 a.m. | X | X | Email re Elevators/Totes, 11-2-2015; Admitted by stipulation | | |
| | 259 | 8:44 a.m. | X | X | Email re Meeting, 11-9-2015; Admitted w/out objection | | |
| | 297 | 8:50 a.m. | X | X | Email re Elevator team end of week, 2-19-2016; Admitted w/out objection | | |

Case No: 17-cv-06748-WHOCase Name: Di-az v. Tesla, Inc.Date: October 1, 2021Courtroom Deputy: Jean Davis - Court Reporter: Debra Pas**EXHIBIT and WITNESS LIST CONTINUED**

| PLF NO. | DEF NO. | DATE/TIME OFFERED | ID | REC | DESCRIPTION | PLF TIME | DEF TIME |
|------------|------------|-------------------|----|-----|--|----------|----------|
| | 303 | 8:57 a.m. | X | X | Email re Owen, 3-4-2016; Admitted w/out objection | | |
| | | 9:04 a.m. | | | Plaintiff cross examination of Joyce dela Grande (Organ) | | 17 |
| 298 | | 9:10 a.m. | X | X | Email re Owen, 2-26-2016; Admitted w/out objection | | |
| 300 | | 9:15 a.m. | X | X | Email re Owen, 2-29-2016; Admitted w/out objection | | |
| | | 9:21 a.m. | | | Defense redirect of Joyce dela Grand (Jeng) | | |
| | | 9:22 a.m. | | | Witness excused | | |
| | | 9:23 a.m. | | | Testimony of Annalisa Heisen presented by way of video deposition | 16 | 9 |
| | | 9:52 a.m. | | | Jurors excused | | |
| | | 9:53 a.m. | | | Court in recess | | |
| | | 10:10 a.m. | | | Court in session (jury present) Defense rests | | |
| | | 10:12 a.m. | | | Defense direct examination of Ramon Martinez (Kennedy) | | 46 |
| | 2 | 10:38 a.m. | | | Racist Drawing Close up, 1-21-2016; Admitted w/out objection | | |
| | | 10:58 a.m. | | | Plaintiff cross examination of Ramon Martinez (Alexander) | 31 | |
| | | 11:29 a.m. | | | Witness excused | | |
| | | 11:30 a.m. | | | Defense rests; Plaintiff waives presentation of a rebuttal case | | |
| | | 11:31 a.m. | | | Court provides jurors with information regarding the conclusion of trial | | |
| | | 11:33 a.m. | | | Jurors excused; Court in recess | | |
| | | 11:55 a.m. | | | Court in session (jury out) Jury instruction conference conducted | | |
| | | 12:35 p.m. | | | Court in recess | | |

Plaintiff Time at start of trial day: 2 hours, 36 minutes
Time Used by Plaintiff 10/1/2021: 47 minutes
Remaining Plaintiff Time: 1 hour, 49 minutes

Defendant Time at start of trial day: 6 hours, 14 minutes

Time Used by Defendant 10/1/2021: 1 hour, 12 minutes

Remaining Defendant Time: 5 hours, 2 minutes